



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
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227248

STANLEY GEE
ACTING COMMISSIONER

DAVID A. PATERSON
GOVERNOR

June 7, 2010

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

Dear Ms. Brown:


Re: Docket NO. FD 35348
CSX Transportation, Inc. and Delaware &
Hudson Railway Company, Inc. – Joint Use
Agreement

The New York State Department of Transportation (NYSDOT) hereby files its Notice of Intent to Participate as a party of record in the above-referenced proceeding. NYSDOT requests that Robert A. Rybak be added to the service list in this proceeding as NYSDOT's official representative. Accordingly, all filings, decisions and notices in connection with this proceeding should be service upon:

Robert A. Rybak
NYSDOT
Division of Legal Affairs
50 Wolf Road
Albany, New York 12232.

I hereby certify that, on June 7, 2010, copies of this Notice of Intent to Participate has been served by First Class Mail, postage pre-paid, on the individuals listed at the end of this letter.

Sincerely yours,


ROBERT A. RYBAK
Division of Legal Affairs

cc: Secretary of Transportation
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c/o Assistant Attorney General
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